

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION

STEPHANIE HOARD, Individually)
and as Personal Representative of the)
Estate of Kerrigan W. Dotson, Deceased;)
MARGARET HULT, Individually, and)
AMERICAN NATIONAL TRUST)
AND INVESTMENT MANAGEMENT)
COMPANY d/b/a OLD NATIONAL)
TRUST COMPANY, as Special)
Administrator of the Estate of JAMIE)
HULT, and as Guardian of the Minor)
Estates of JOSHUA HULT and LAUREN)
Hult,)
Plaintiffs,)
v.) 3:09-cv-85-WGH-RLY
CROSBY TRUCKING SERVICE, INC.,)
J.G. WRIGHT and CHARLES F. HULT,)
Defendants.)
ROBERT D. FEASTER,)
Plaintiff,)
v.)
CROSBY TRUCKING SERVICE, INC.,)
JAMES G. WRIGHT and CHARLES F.)
HULT,)
Defendants.)

CHARLES F. HULT,
Plaintiff,
v.
CROSBY TRUCKING SERVICE, INC.
and J.G. WRIGHT,
Defendants.

CLYDE HERBERT DOTSON, II,
Individually, CLYDE HERBERT
DOTSON, II, as Surviving Natural Parent
of KERRIGAN W. DOTSON, Deceased,
Plaintiff,
v.
CROSBY TRUCKING SERVICE, INC.,
CROSBY VENTURES, INC., J.G.
WRIGHT, CHARLES F. HULT and
STEPHANIE HOARD,
Defendants.

ORDER ON MOTION TO COMPEL

This matter is before the Honorable William G. Hussmann, Jr., United States Magistrate Judge, on the Motion to Compel filed by plaintiffs Margaret Hult, individually, and American National Trust and Investment Management Company d/b/a Old National Trust Company, as Special Administrator of the Estate of Jamie Hult, and as Guardian of the Minor Estates of Joshua Hult and

Lauren Hult, on July 23, 2010. (Docket No. 95). Crosby Trucking Service, Inc.'s Response to Motion to Compel was filed on July 28, 2010. (Docket No. 96). The Magistrate Judge conducted a hearing on August 18, 2010, at 10:00 a.m., at which the parties were presented by counsel.

The Magistrate Judge, being duly advised, now enters the following orders:

1. The Motion to Compel is granted, and the defendant's objections are overruled, with respect to Request for Production Nos. 5, 9, 11, 24, 27, and 28.
2. The Motion to Compel is denied as to Request for Production Nos. 2 and 14, based upon the attorney work product doctrine. However, should defendant Crosby Trucking Service disclose the investigator as an expert or fact witness in this case, it will at that time be required to comply with the Request for Production as to these two items.
3. The Motion to Compel is denied as to Request for Production No. 26.
4. As to Request for Production No. 13, the Motion to Compel is denied. However, defendant Crosby Trucking Service shall provide a blank form of each and every document which was actually provided to James G. Wright on the date of this incident.
5. The Motion to Compel as to Request for Production No. 18 is granted, in part, as to items D and both E only. The Motion to Compel is denied as to the balance of Request for Production No. 18.
6. As to Request for Production No. 23, the Motion to Compel is granted, in part. Defendant Crosby Trucking Service shall provide those items which

were, in fact, provided to James G. Wright only and will not be required to produce those furnished to other drivers.

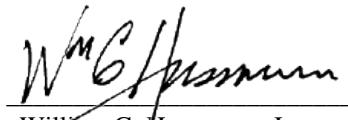
7. The Motion to Compel is granted as to Supplemental Request for Production Nos. 2 and 9.

8. The Motion to Compel is denied in all other respects except as specified above.

Defendant Crosby Trucking Service shall produce the items required herein not later than thirty (30) days from the date of this order.

SO ORDERED.

Dated: August 20, 2010



William G. Hussmann, Jr.
United States Magistrate Judge
Southern District of Indiana

Electronic copies to:

Daniel Sherwood Chamberlain
DOEHRMAN & CHAMBERLAIN
dsc@uslaws.com

Lori Ann Coates
DUFFIN & HASH, LLP
lcoates@duffinandhash.com

Robert R. Foos
LEWIS WAGNER, LLP
rfoos@lewiswagner.com

Katherine Rose Gould
LEWIS WAGNER LLP
kgould@lewiswagner.com

Richard D. Hailey
RAMEY & HAILEY
rich@rameyandhaileylaw.com

Robert Wayne Hash
DUFFIN & HASH LLP
rwhash@duffinandhash.com

R. Courtney Hughes
HUGHES LAW FIRM
rchughes@injury-laws.com

Justin W. Leverton
RAMEY & HAILEY LAW FIRM
justin@rameyandhaileylaw.com

Terry Ross Noffsinger
NoffsingerLAW, p.c.
tn@nofflaw.com

Ryan Ray Rice
HUGHES LAW FIRM
rrrice@injury-laws.com

Jon F. Schmoll
LANGER & LANGER
jschmoll@langerandlanger.com

John Carl Trimble
LEWIS WAGNER LLP
jtrimble@lewiswagner.com

W. Thomas Ward
WARD & ASSOCIATES, PLLC
wtwatty@yahoo.com